

## REMARKS

Favorable reconsideration and withdrawal of the rejection set forth in the above-mentioned Official Action in view of the following remarks are respectfully requested.

Claims 1 through 36 are pending in the application, with Claims 1, 6, 11, 16, 21, 25, 29, and 33 being independent.

Claims 1-36 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by newly cited U.S. Patent No. 6,493,757 (Sakai, et al.).

Sakai, et al. relates to a network system in which a plurality of image processing apparatuses are connected. A reader unit 1 reads an original image and outputs image data corresponding to the original image to a printer unit 2 and an image input/output control unit 3. The printer unit 2 records an image corresponding to the image data from the reader unit 1 and the image input/output control unit 3 onto paper. The image input/output control unit 3 is connected to the reader unit 1 and is constituted by a facsimile unit 4, a file unit 5, a computer interface unit 7, a formatter unit 8, a LAN interface unit 9, and a core unit 10, which controls data flow through the reader unit 1 and parts of the input/output control unit 3.

Sakai, et al. further discloses a device table for storing information of input and output devices usable in the network system. The device table includes information representing the types of devices and whether the devices are included in the image processing apparatus 1100 or are connected through the LAN. In the device table of the second embodiment, a display screen also displays usable optical scanners to allow discrimination between processing speeds (e.g., high, medium, and low). For example, the display shows low speed for an RS232C

interface, high for an SCSI interface, and medium for a connection through a LAN. (See col. 11, lines 21-38.)

However, Sakai, et al. does not disclose or suggest control means for controlling a scanning operation of said scanning means in accordance with the transfer path selected by said selection means, as recited in Claim 1. Similarly, Sakai, et al. does not disclose or suggest selecting a transmission (or transferring) speed for transmitting (or transferring) image data, and controlling a scanning operation in accordance with the selected transmission (or transferring) speed, as recited in Claims 11, 21, and 29.

Moreover, although Sakai, et al. discloses a display screen that displays usable optical scanners to allow discrimination between high, medium, and low processing speeds, we do not understand Sakai, et al. to disclose or suggest determining (or detecting) whether image data are binary data per pixel or multilevel data per pixel, as recited in Claims 6, 16, 25, and 33.

In light of the foregoing, Applicant respectfully submits that the Sakai, et al. patent fails to teach or suggest all of the features of the independent claims.

Reconsideration and allowance of the above-identified application are respectfully requested. Applicant submits that the present invention is patentably defined by independent Claims 1, 6, 11, 16, 21, 25, 29, and 33 for the reasons discussed above. The dependent claims are also submitted to be patentable for the same reasons and because they set forth additional aspects of the present invention. Individual consideration of each dependent claim is requested.

The other claims in this application are each dependent, directly or indirectly, from one or another of the independent claims discussed above and are therefore believed

patentable for the same reasons. However, each dependent claim also defines an additional aspect of the invention, so individual reconsideration of the patentability of each on its own

Applicant submits that the instant application is in condition for allowance.

Favorable reconsideration, withdrawal of the rejection set forth in the March 27, 2003, Office Action, and issuance of an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



\_\_\_\_\_  
Attorney for Applicant  
Lawrence A. Stahl  
Registration No. 30,110

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
CAW:LAS:ayr:eyw

DC-MAIN 136401 v1